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Draft budget proposals of the International Tribunal for the Law of the Sea for 2015-2016

Presented by the Tribunal

I. Overview

Introduction

1. During its thirty-seventh session (10-21 March 2014), the International Tribunal for the Law of the Sea considered and approved its budget proposals for 2015-2016. In accordance with the Financial Regulations of the Tribunal, the budget proposals have been prepared in euros and cover a biennial financial period.

2. In line with established practice, the budgetary requirements of the Tribunal for 2015-2016 are based on: (a) the expected volume of judicial work; (b) the Tribunal's administrative work; and (c) the operation of the Tribunal's premises.

3. Any consideration of the budget resources necessary for the work programme of the Tribunal needs to take account of the fact that the Tribunal, as a judicial body established under the United Nations Convention on the Law of the Sea, is responsible for its own administrative and financial management.

4. In accordance with the approach adopted by the second Meeting of States Parties, the budgetary arrangements established for the Tribunal are based on an evolutionary approach, taking into account the needs of the Tribunal and optimizing efficiency. In this respect, due regard should be given to the judicial workload of the Tribunal.

5. In 2015 and 2016, the judicial work of the Tribunal will include at least one case, namely, Case No. 21 (*Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)*). In addition, as required by the Convention, the Tribunal will have to remain prepared during the financial period concerned to deal with any urgent cases submitted to it, such as prompt release cases under article 292 of the Convention and requests for provisional measures under article 290 of the Convention.

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6. With the exception of case-related expenditures, the level of which always depends on the judicial workload of the Tribunal, the budget for 2015-2016 follows an overall zero-growth approach, compared with the 2013-2014 budget.

7. Appropriations relating to the pension scheme of judges under the section 1 (Judges) in previous budgets have been included in a separate budget line to allow for a distinction between the budget lines relating to the remuneration of judges currently in the service of the Tribunal and those relating to the pension for former and retiring judges and surviving spouses. A new section, 2 (Judges' pension scheme) has been established and consists of two budget lines: "Pension in payment" (2.1) and "Pension for retiring judges" (2.2). Accordingly, the budget line "Common costs" under the "Judges" section and the subsequent sections starting from "Staff costs" have been renumbered.

Parameters used in preparing the budget proposals

8. In accordance with the Tribunal's Financial Regulations, the proposed budget for the 2015-2016 financial period is presented in euros. However, it should be noted that the United States dollar remains the reference currency for some budget lines, such as judges' allowances, judges' common costs, judges' pension scheme and representation allowance. The United States dollar is also used as the reference currency for the budget estimates of staff costs (Professional staff category) which are issued by the United Nations. Accordingly, these budget lines are subject to exchange rate fluctuations between the United States dollar and the euro. It may be noted, however, that the post adjustment mechanism for judges' remuneration as well as for Professional staff will alleviate and largely absorb the effects of exchange rate movements between the United States dollar and the euro.

9. Pursuant to the decision of the thirteenth Meeting of States Parties (SPLOS/98, para. (a)), budgetary appropriations in respect of established posts have been calculated on the basis of gross salary. Assessments of States parties' contributions have included a credit in respect of the amount of staff assessment relating thereto. Consequently, separate budget lines, indicating the gross salary and the staff assessment credit, have been established in the budget proposals.

10. The following parameters have been utilized in preparing the budget proposals:

(a) Judicial workload of the Tribunal;

(b) Decisions of the Meeting of States Parties;

(c) United States dollar/euro exchange rate of 0.731, as adopted by the United Nations for March 2014;

(d) Daily subsistence allowance for Hamburg in March 2014, amounting to €322, as adopted by the International Civil Service Commission;

(e) Estimates relating to staff costs are based on standard costs issued by the Programme Planning and Budget Division of the United Nations Secretariat (version 4, applicable to The Hague, 2015);

(f) Estimates relating to judges' remuneration are based on the post adjustment multiplier 55.4 and the exchange rate between the United States dollar and the euro for March 2014 (0.731), as adopted by the United Nations;

(g) Inflation rate applicable in the host country (1.68 per cent).

11. A table showing the proposed 2015-2016 budget of the Tribunal is contained in annex I to the present document. The table also includes the approved budgets for the 2009-2010, 2011-2012 and 2013-2014 financial periods and performance records for the 2009-2010 and 2011-2012 financial periods.

Judicial work

12. The Tribunal's judicial workload has substantially increased in the course of the past two financial periods. In 2009-2010, the Seabed Disputes Chamber dealt with a request for an advisory opinion submitted to it by the International Seabed Authority in May 2010 (Case No. 17). In 2009-2010, the Tribunal also dealt with a request for the prescription of provisional measures in Case No. 18 (*M/V "Louisa" Case (Saint Vincent and the Grenadines* v. *Kingdom of Spain)*) and the order in the case was issued on 23 December 2010.

13. During the 2011-2012 financial period, the Tribunal dealt with a case on the merits, that is, the *Dispute concerning delimitation of the maritime boundary between Bangladesh and Myanmar in the Bay of Bengal (Bangladesh/Myanmar)* (Case No. 16). During the same period, the Tribunal also dealt with part of the proceedings (hearing, initial deliberations and preparation of the first draft judgment) in a case on the merits, namely, Case No. 18 (*M/V "Louisa" Case (Saint Vincent and the Grenadines* v. *Kingdom of Spain)*). In addition, the Tribunal considered a request for the prescription of provisional measures submitted on 14 November 2012 by Argentina against Ghana in the *"Ara Libertad"* case (Case No. 20). The order in the case was issued on 15 December 2012.

14. During the 2013-2014 financial period, the Tribunal continued consideration of Case No. 18 (*M/V "Louisa" Case (Saint Vincent and the Grenadines* v. *Kingdom of Spain)*) and the judgment in the case was delivered on 28 May 2013. The Tribunal also dealt with the proceedings in Case No. 19 (*M/V "Virginia G" Case (Panama/Guinea Bissau)*) and the judgment in the case will be rendered in the second quarter of 2014. In addition, a request for the prescription of provisional measures was submitted on 21 October 2013 by the Kingdom of the Netherlands against the Russian Federation in the *"Arctic Sunrise" Case* (Case No. 22). The Tribunal issued the order in the case on 22 November 2013. On 28 March 2013, the Tribunal received a request from the Sub-Regional Fisheries Commission to render an advisory opinion. The request for an advisory opinion was entered in the list of cases as Case No. 21. The hearing and part of the deliberations in Case No. 21 (*Request for an advisory opinion submitted by the Sub-Regional Fisheries Commission (SRFC)*) will also take place in 2014.

15. During the financial period 2015-2016, the Tribunal will continue its consideration of Case No. 21. As a result, the 2015-2016 budget proposals include provisions for the consideration of one case on the merits. Furthermore, in order to ensure the discharge of the judicial functions of the Tribunal under articles 290 and 292 of the Convention, the 2015-2016 budget proposals include provisions enabling the Tribunal to handle three urgent cases. Appropriations for three urgent proceedings are envisaged under Part C (Case-related costs). As has been the Tribunal's practice, and in order to optimize efficiency and reduce costs, administrative sessions of the Tribunal will be planned to take place as far as possible in conjunction with judicia' proceedings before the Tribunal.

16. In the 2015-2016 budget proposals, the budget estimates for Case No. 21 and for the consideration of three urgent cases have been made under Part C (Case-related costs). These estimates are based on the following judicial work programme:

(a) Case No. 21 (that part of the expenditures relating to the case which is to be covered in the 2015-2016 budget; see paras. 41 and 42 below):

- 22 days of meetings of the Tribunal;
- 5 days of meetings of the Drafting Committee;

(b) Three urgent proceedings during the financial period:

- 6 weeks of meetings in 2015 and 3 weeks of meetings in 2016, including hearings, deliberations and the rendering of orders and judgments.

Judges

17. The level of remuneration of the members of the International Tribunal for the Law of the Sea was established in 1996 by the fourth Meeting of States Parties. In that regard, the Meeting of States Parties adopted the principle of maintaining equivalence with the remuneration levels of judges of the International Court of Justice.

18. The fourth Meeting of States Parties decided that the annual remuneration of judges other than the President would consist of three elements (see SPLOS/8 and SPLOS/WP.3/Rev.1):

(a) An annual allowance, payable monthly, which is one third of the maximum annual net base salary (based on the current level of remuneration);

(b) A special allowance payable for each day that a judge is engaged on the business of the Tribunal. The maximum special allowance is one third of the annual net base salary divided into 220 working days;

(c) A subsistence allowance for each day that a judge is required to be present at the seat of the Tribunal. The level of subsistence allowance is determined by the International Civil Service Commission and is paid up to a maximum of one third of the annual net base salary.

19. Following the adoption in 2008 by the General Assembly of a new system of remuneration for judges of the International Court of Justice based on the post adjustment mechanism (decision 62/547), the nineteenth Meeting of States Parties decided on 26 June 2009 to set the maximum annual net base salary of the members of the Tribunal at $161,681 as at 1 July 2009, with a corresponding post adjustment multiplier equal to 1 per cent of the net base salary, to which would be applied the post adjustment multiplier for Hamburg, as appropriate, taking into account the post adjustment mechanism as proposed by the Secretary-General in paragraph 77 of his report on conditions of service and compensation for officials other than Secretariat officials (A/62/538).[1]

[1] Paragraph 77 reads as follows:

> Should the above proposal [the introduction of the post adjustment system] be considered, [...] the Secretary-General would also propose that **on the occasion of future revisions to the base scale applicable to staff in the Professional and higher categories** that are effected through the consolidation of post adjustment multiplier points into the base scale with a corresponding readjustment in the post adjustment multipliers, **the annual base salary of the members of the International Court of Justice and the judges and ad litem judges of the Tribunals also be adjusted by the same percentage and at the same time.** (emphasis added)

20. The twenty-first Meeting of States Parties decided on 17 June 2011 that

> ... on the occasion of future revisions to the base scale applicable to staff of the United Nations in the Professional and higher categories that are effected through the consolidation of post adjustment multiplier points into the base scale with a corresponding readjustment in the post adjustment multipliers, the annual base salary of the members of the Tribunal also be adjusted by the same percentage and at the same time as in the case of judges of the International Court of Justice. (SPLOS/230)

21. The General Assembly, in its resolution 68/253, approved an increase for the salary of the staff in the Professional and higher categories as recommended by the International Civil Service Commission. Further to this increase and pursuant to General Assembly decision 62/547 on the system of remuneration for judges, the annual net base salary of the members of the International Court of Justice was increased to $169,419, effective 1 January 2014. Accordingly, the maximum remuneration of judges of the Tribunal was adjusted to the same level as the remuneration of the members of the International Court of Justice, as at 1 January 2014.

22. In the light of the above-mentioned decisions, the estimates for annual and special allowances of judges of the Tribunal for 2015-2016 contained in annexes V, VII and VIII have been calculated by applying to the adjusted annual base salary, the post adjustment multiplier applicable to Hamburg for March 2014 and the exchange rate between the United States dollar and the euro for March 2014 fixed by the United Nations.

Registry

23. Since the Tribunal is an autonomous judicial institution, the staff of the Registry has to discharge a wide range of tasks relating to judicial and legal matters, budget and finance, and administration.

24. The Registry provides the full range of support and assistance required by the Tribunal for dealing with cases submitted to it, including provision of legal research, documentation, translation, interpretation, verbatim records, and communications to judges, the parties in the cases and other interested States and organizations. In addition, the Registry is responsible for preparing and distributing case records, publications and press releases.

25. The number of staff members has remained at 37 since 2003. Given the limited number of staff members, several staff members are required to fulfil a variety of duties, particularly during cases. Whenever a case has to be dealt with, additional temporary support is procured (interpreters, translators, verbatim reporters and secretarial assistance). However, not every task can be assigned to temporary staff, for reasons of confidentiality in particular.

26. It may be noted that the recent increase in the Tribunal's judicial work has produced a substantial increase in the workload of the Registry, requiring staff members to carry out more responsibilities over an extended period of time, including on weekends and holidays. In particular, the work of the Legal Office is crucial for the efficient discharge of the core business of the Tribunal and the legal officers are actively engaged in supporting the judicial work of the Tribunal, in which role they discharge multiple tasks (inter alia, examining written pleadings,

preparing notes on jurisprudence or procedural matters, preparing for consultations with the parties, preparing records of judicial deliberations, assisting during deliberations and in the work of the drafting committee) usually under severe time constraints during urgent cases.

27. As at 1 August 2013, the Legal Office of the Tribunal consists of five Professional staff (2 P-4, 1 P-3 and 1 P-2 under the supervision of a P-5 Senior Legal Officer/Head of the Legal Office). In addition to legal tasks relating to judicial and administrative matters, the legal officers are also entrusted with other responsibilities, mainly with regard to the organization of hearings, the preparation of verbatim records of public sittings, the review of translations of pleadings and judicial documents and the carrying out of the work preparatory to the publication of judicial decisions and documents. In the light of the increased workload of the Tribunal in judicial matters, there is a need to provide substantial assistance to the Legal Office with a view to enhancing its efficiency. To that end, it is proposed that a new post be created at the General Service level, mainly to discharge the following tasks: assisting in drafting case-related and administrative correspondence, in preparing and organizing research materials and notes, and in organizing hearings and preparing judicial records; filing of legal and judicial documents; formatting and producing summary reports and records of decisions; and assisting in the gathering of legal documentation and the preparation of the publications of the Tribunal. Given the tasks, the holder of the new post should have knowledge of, and training in, legal matters. In this context, it should be emphasized that, while the activities of the Tribunal have increased over recent years, it is the first time since 2003 that the creation of an additional post is being proposed. On the basis of United Nations standard costs, the new post would require an amount of €80,589 for two years.

28. Another responsibility of the Registry is the management of the Tribunal's finances, which includes the execution of the budget and the collection of contributions of States parties.

29. The Registry is also responsible for the administration of the Tribunal, which includes: staff and personnel matters; the operation and maintenance of the premises of the Tribunal, including security matters; the provision of library services and maintenance of archives; protocol; the operation and maintenance of the electronic systems, including equipment, databases and the Tribunal's website; and administrative and logistical support for the travel of judges engaged in the business of the Tribunal. It also manages the internship and training and capacity-building programmes on dispute settlement under the Convention. Further, the Registry assists in maintaining relations with the United Nations and other international organizations, as well as with relevant departments and agencies of the Government of the host country and the Governments of States parties.

30. In 2012, pursuant to the approval by the Meeting of States Parties of the proposal made by the Tribunal, the Department of Administration was reorganized in order to enhance efficiency. As a number of budget and finance tasks are closely supervised by the Deputy Registrar, the post of Chief of Administration (P-5) was abolished and the post at the P-5 level was transferred to the Legal Office as the post of Senior Legal Officer/Head of Legal Office. As at January 2013, the Personnel Service, General Administration, Conference Services and Building/ Security were placed under the responsibility of the Head of Personnel, Building

and Security, a post which was reclassified at P-4 level. Under the supervision of the Head of Personnel, Building and Security, two staff members in the General Service category are assigned tasks relating to personnel matters.

31. The management of personnel matters involves, inter alia: processing documentation for the appointment, recruitment and separation of staff, consultants and temporary assistance service providers, as well as documentation regarding staff entitlements; handling of the paperwork relating to contractors; computing benefits and allowances and issuing payroll clearance documentation; preparing precedent files and forms for guidance in administrative fields; maintaining personnel files and monitoring attendance and overtime; ensuring the implementation of staff rules and regulations, administrative instructions and guidelines in staff matters; preparing and processing documents with respect to health insurance for staff and work-related insurance for judges; maintaining and updating judges' pension files; and computing benefits and allowances.

32. Considering that the Head of Personnel, Building and Security is also responsible for matters relating to building and security and that those matters take a significant amount of time, it has become necessary for him to delegate a certain degree of his responsibility in personnel matters to a staff member under his supervision who should be entrusted with tasks of higher responsibilities, that is to say, of Professional level. It is therefore proposed that the post of Administrative Assistant (Personnel) G-7 be reclassified to P-2. The budgetary increase would amount to €6,274 for two years.

33. In order to limit the impact of increases referred to in paragraphs 27 and 32, decreases totalling €21,000 have been envisaged in recurrent expenditure (see para. 36 (g)).

Increases and decreases

34. As pointed out in paragraph 6 above, in preparing the budget proposals for 2015-2016, the Tribunal continues to be guided by an overall zero-growth approach. In keeping with this approach, the budget proposal indicates certain increases and decreases compared with the appropriations for 2013-2014.

35. The budget proposals 2015-2016 show increases in the following budget lines:

Recurrent and non-recurrent expenditures

(a) On the basis of an increase in the amount of daily subsistence allowance, and in the light of the exchange rate and post adjustment multiplier for March 2014, judges' special allowances are increased by €8,300, compared with the appropriation approved for the 2013-2014 budget under section 1 (Judges);

(b) The budget for 2015-2016 envisages a pension provision of €1,373,900, which is €493,200 higher than the appropriation approved for 2013-2014, due mainly to the pension requirement for seven judges whose terms of office expire on 30 September 2014 (see paras. 77 and 78). The amount will be adjusted to meet the actual needs for 2015-2016 in accordance with the result of the triennial election in June 2014;

(c) The budget line "Established posts" shows an increase of €421,000. This increase is due to the standard salary costs (version 4, applicable for 2015) and to

the proposed Legal Assistant position in the General Service category (€80,589) (see para. 27 above) and the upgrading of the G-7 position to a P-2 post (€6,274) (see para. 32 above);

(d) Expenditures incurred in euros have been adjusted to allow for inflation, giving rise to an increase of €27,100. An average inflation rate of 1.68 per cent, as determined by the German Statistical Office for the period from March 2012 to February 2014, has been taken into account in respect of the following items:

- Travel to sessions;
- Training;
- Hospitality;
- Rental and maintenance of equipment;
- Library — procurement of books and publications;
- Purchase of equipment;

(e) In the light of the substantial increase in the bank charges over the past years, an increase of €1,000 is proposed for the budget line "Miscellaneous services and charges (including bank charges)";

(f) The budget line "Special services (external audit)" envisages an amount of €20,800 to cover the audit of the Tribunal's financial statements for 2015-2016 by the firm Ernst & Young. This amount corresponds to the offer from the audit firm for the audit of the 2015-2016 financial statements. Owing to an oversight, the amount approved in the 2013-2014 budget reflected only half of the required amount. The requested amount for 2015-2016 therefore represents an increase of €10,400, compared to the appropriations approved for 2013-2014 (see para. 104). The increases proposed above total €961,000.

36. The budget proposals 2015-2016 show decreases in the following budget lines:

Case-related costs

(a) The 2015-2016 budget estimates in the amount of €2,259,000 envisage three urgent cases to be financed through Part C, "Case-related costs" (see para. 44 and annex VII below). This will be €447,950 higher than the appropriations approved for 2013-2014;

(b) The 2015-2016 budget estimates also include a provision for Case No. 21 (see paras. 41 and 42 and annex VIII below) in the amount of €1,005,300. This covers part of the total expenditure related to that case, since the hearings and part of the Tribunal's deliberations are planned for 2014 and will be covered by the 2013-2014 budget appropriations. The amount of €1,005,300 is based upon the following tentative schedule: deliberations of the Tribunal on the draft opinion (22 days); and meetings of the Drafting Committee (11 days);

(c) On this basis, estimates of the case-related costs are expected to be €2,042,020 lower than those for the 2013-2014 budget: a decrease of €1,512,730 in the "Judges" section and a decrease of €529,290 in the "Staff costs" section;

Recurrent expenditure

(d) The maximum remuneration of judges of the Tribunal was increased by 0.19 per cent from 1 January 2014 and, as a result, adjusted to $169,419 (see para. 21 above). However, owing to the combined effect of the depreciation of the United States dollar against the euro and the post adjustment multiplier,[2] the budget line "Annual allowances" has been decreased by €5,100;

(e) During the 2015-2016 financial period there will be no election to the Presidency of the Tribunal. As a result, no provision is envisaged for the installation and repatriation of the President. Likewise, no provision is made for removal costs for judges, as there will be no judge with a term of office expiring during the 2015-2016 period. Accordingly, the 2015-2016 budget will show a decrease of €86,500 for judges' common costs in comparison with the appropriations approved for the 2013-2014 financial period;

(f) The budget line "Representation allowance" shows a decrease of €200 owing to the difference between the United States dollar-euro exchange rates for March 2012 (0.746) and March 2014 (0.731);

(g) On the basis of the performance in the previous financial periods, a reduction in the amount of €21,000 is envisaged in respect of certain budget lines:

- Overtime;
- Temporary assistance for meetings;
- General temporary assistance;
- Maintenance of premises including security;
- Communications;
- Supplies and materials;
- External printing and binding.

The decreases envisaged total €2,154,820.

37. Although airfare is steadily increasing, the amount proposed for the budget line "Official travel" is the same as the appropriation approved for 2013-2014, in order to minimize the increase of the recurrent expenditure. As in the past, the common staff costs have been based on an estimate of actual costs and will remain at the same level as the appropriation approval for 2013-2014 (see para. 84 and annex XI below).

38. Taking into account the increases proposed in paragraph 35 (€961,000) and the decreases referred to in paragraph 36 (€2,154,820), an overall decrease of €1,193,820 is envisaged for 2015-2016.

[2] For March 2014, the United States dollar-euro exchange rate is fixed at 0.731 and the post adjustment multiplier applicable to Hamburg is 55.4 per cent, while for March 2012, when the budget for 2013-2014 was prepared, the exchange rate was fixed at 0.746 and the post adjustment applicable to Hamburg was 52.8 per cent.

II. Draft budget proposals

Part C (sections 11 and 12) Case-related costs

39. In 1999, the ninth Meeting of States Parties established a contingency provision for case-related expenses. Pursuant to the decision of the thirteenth Meeting of States Parties, this part of the budget was renamed "Case-related costs" (SPLOS/96, para. 2). In accordance with that decision, expenses for judicial meetings are included in a separate part of the budget for case-related costs (Part C, Case-related costs).

40. The deliberations in Case No. 21 will begin in August 2014 and will be completed in the second quarter of 2015. Accordingly, the costs relating to the deliberations taking place in 2014 will be financed from the 2013-2014 budget and those relating to the remainder of the deliberations will be reflected in the 2015-2016 budget. The budget proposals for the 2015-2016 financial period envisage the following judicial work on the basis of the experience gained from previous cases:

(a) Case No. 21 (see annex VIII to the present document): 22 days of meetings of the Tribunal and 11 days of meetings of the Drafting Committee;

(b) Urgent proceedings (see annex VII): 63 days of meetings during 2015-2016, including hearings and deliberations and the reading of orders and judgments.

Case No. 21

41. Case No. 21 was filed on 28 March 2013. Pursuant to the Rules of the Tribunal and the resolution on the internal judicial practice of the Tribunal, the Tribunal will meet for deliberations and hearings in 2014 and 2015 as follows:

August-November 2014

(a) Deliberations before oral proceedings under article 68 of the Rules: 2 days;

(b) Oral proceedings under article 69 of the Rules: 4 days;

(c) Initial deliberations after oral proceedings under article 5 of the resolution on the internal judicial practice: 15 days;

(d) Meeting of the Drafting Committee under article 7 of the resolution on the internal judicial practice: 13 days;

January-April 2015

(e) Meeting of the Drafting Committee under article 11 of the resolution on the internal judicial practice: 11 days;

(f) Deliberations on the draft opinion under article 8 of the resolution on the internal judicial practice and reading of the opinion: 22 days.

42. As the deliberations of the Tribunal on the draft opinion and the meetings of the Drafting Committee will be held in 2015, provision to cover the costs relating

thereto is envisaged in the 2015-2016 budget. These meetings will be held as far as possible in conjunction with the administrative sessions of the Tribunal to reduce travel costs. The estimated costs amount to €1,005,300 and are detailed in annex VIII.

Urgent proceedings

43. In line with the judicial requirements of the Tribunal, costs for nine weeks of meetings in 2015-2016 to deal with three urgent cases and prorated associated costs for hearings, deliberations and reading of orders and judgments are proposed for inclusion under "Case-related costs". The associated costs also include costs for judges' travel to Hamburg, temporary assistance for meetings and overtime. The provision is detailed in annex VII and amounts to €2,259,000. This represents an increase of €447,950, compared with the appropriation approved for 2013-2014. This appropriation will be used only if the Tribunal meets to deal with cases.

Total estimates

44. The total estimates of the costs for Case No. 21 and urgent proceedings amount to €3,264,300, which represents a decrease of €2,042,020, compared with the appropriations under "Case-related costs" approved for 2013-2014.

45. In this connection, the Meeting of States Parties could decide that one of the three urgent cases be financed through the use of the Working Capital Fund (specifically related to cases). To that effect, the contribution to the Working Capital Fund corresponding to the expenditures relating to one urgent case could be made from the cash surplus for the financial period 2011-2012. The 2011-2012 cash surplus amounts to €879,051(see SPLOS/268). Of that amount, an amount of €753,000, corresponding to one urgent case, could be credited to the Working Capital Fund (case-related) and the remaining amount of €126,051 would be surrendered to States parties in accordance with regulation 4.5 of the Financial Regulations of the Tribunal. If this proposal is accepted, the amount of the budget for 2015-2016 would be decreased by €753,000. The overall decreases referred to in paragraph 38 would thus be revised to €2,907,820 (instead of €2,154,820). The total 2015-2016 budget would then be adjusted from €20,045,300 to €19,292,300.

Section 11
Judges

11.1 Special allowances

46. A provision of €1,304,500 is proposed for 2015-2016 to cover special and subsistence allowances of judges in relation to three urgent cases. This includes a special allowance for preparatory work which is based upon six sevenths of the number of days planned for judicial meetings. For Case No. 21, the amount of €598,900 is envisaged to cover special and subsistence allowances of judges. This includes a special allowance for preparatory work which is based upon two thirds of the number of days planned for judicial meetings. On this basis, the total provision for special allowances for Cases No. 21 and three urgent proceedings amounts to €1,903,400.

11.2 Compensation to judges ad hoc

47. A provision of €166,200 has been included to cover the compensation paid to two judges ad hoc for nine weeks of meetings and 54 days of preparatory work for three urgent proceedings. No judges ad hoc are required in Case No. 21.

11.3 Travel of judges, including judges ad hoc, to meetings

48. The sum of €399,800 is required to cover travel of judges for Case No. 21 and of three urgent proceedings for the 2015-2016 financial period.

49. Of that sum, a provision in the amount of €238,300 is envisaged to cover the travel costs of judges, including judges ad hoc, for three urgent proceedings for 2015-2016.

50. The amount of €161,500 is proposed to finance the travel costs of judges for Case No. 21. The trips envisaged in 2015 in respect of Case No. 21 are as follows:

(a) One round trip for judges for deliberations on the first draft opinion;

(b) One round trip for judges for deliberations on the second draft opinion;

(c) One round trip for judges for deliberations on the final draft opinion, the adoption and reading of the opinion;

(d) One round trip for the members of the Drafting Committee.

51. As mentioned in paragraph 15, the thirty-ninth session of the Tribunal will, as far as possible, be organized in 2015 in conjunction with judicial deliberations in Case No. 21 on the draft opinion. Therefore the travel costs for Case No. 21 will be calculated on the basis of two round trips (instead of three) for all judges and one round trip for the members of the Drafting Committee.

Section 12
Staff costs

12.1 Temporary assistance for meetings

52. A separate provision is made for temporary assistance for meetings to cover case-related expenses. This provision covers emoluments and costs for the travel of interpreters, verbatim reporters, revisers, translators, audio equipment operators and additional linguistic typists recruited specifically for meetings, including hearings and judicial deliberations. The provision also covers the costs of other conference-related staff and personnel to service meetings. The amount proposed takes into account the fact that not all personnel, particularly translators, interpreters and verbatim reporters, are readily available at the seat of the Tribunal.

53. Estimates for interpretation costs are based on the terms and conditions followed in the United Nations system, taking into account the need for interpretation services at short notice and particularly during urgent proceedings. This requires work to be performed during weekends, official holidays and night-time meetings. Estimates regarding translation expenses take into account the volume of work relating to urgent proceedings and Case No. 21 that can be absorbed internally and an average number of pages that have to be sent out for translation, to

which the Tribunal applies the contractual translation rates determined by the United Nations Office at Geneva.

54. Taking into account the increase in the rates applied to translators, interpreters and verbatim reporters, a total amount of €749,900 is proposed for 2015-2016. Given the reduced number of judicial meetings in 2015 and 2016 compared with those in 2013 and 2014, however, this amount represents a decrease of €512,040 compared with the appropriation approved for 2013-2014.

12.2 Overtime

55. Many staff members are required to work beyond normal working hours, particularly during urgent proceedings. This is unavoidable if the Tribunal is to deliver its judgments within short periods of time. Overtime payments cannot always be replaced by compensatory time off, particularly in a small Registry. The amount of €33,700 is proposed to cover overtime during urgent proceedings in the 2015-2016 biennium. Seven weeks will be necessary for the consideration of Case No. 21 and overtime will be unavoidable during deliberations. The amount of €11,300 is envisaged to cover overtime during Case No. 21. A total provision of €45,000 is proposed for this budget line, which represents a decrease of €17,250 compared with the appropriation approved for 2013-2014.

Part A (sections 1 to 8)
Recurrent expenditure

56. As in previous years, the Tribunal will hold four weeks of meetings during each calendar year to deal with legal matters related to the discharge of its judicial functions as well as administrative and organizational issues. One two-week session will be held in February/March and another in September/October of each year.

57. During these sessions, matters relating to the work of the Tribunal are considered by the plenary, the Committee on the Rules and Judicial Practice and by the chambers of the Tribunal: Seabed Disputes Chamber, Chamber for Maritime Delimitation Disputes, Chamber for Marine Environment Disputes, and Chamber for Fisheries Disputes. The issues addressed during the period 2013-2014 were the following: matters relating to the jurisdiction of the Tribunal; Rules of the Tribunal; jurisdiction of the Seabed Disputes Chamber; information on State practice concerning the security requested in cases in which vessels are detained; prompt release of vessels detained for polluting the marine environment; various forms of violence at sea; international legal regime of fisheries and legal status of certain maritime special areas.

58. At these meetings, the Tribunal also addresses administrative and organizational matters. In order to ensure that these are dealt with efficiently, the Tribunal has established special committees composed of judges, to which the Tribunal refers various matters for detailed consideration and for recommendations for approval by the plenary (Committee on Budget and Finance; Committee on Staff and Administration; Committee on Public Relations; Committee on Buildings and Electronic Systems; and Committee on Library, Archives and Publications). Administrative issues addressed include decisions to be taken as regards staff appointments, supervision of the work and organization of the Registry,

maintenance of the premises and related facilities of the Tribunal, public relations and publications of the Tribunal such as judgments and orders and preparation of the draft budget, the annual report and proposals for submission to the Meeting of States Parties.

Section 1
Judges

59. The second Meeting of States Parties decided that the level of remuneration of judges at the International Court of Justice would be used as the comparator (SPLOS/4). Taking account of those judges' remuneration, effective 1 January 2014, the annual base salary of judges at the Tribunal is set at the level indicated in paragraph 21 above.

60. The budgetary estimates for the remuneration of judges for 2015-2016 under Part A (Recurrent expenditure) are set out in annex V.

61. As in previous years, appropriations relating to cases are placed under Part C (Case-related costs) and will be utilized for such purposes only (see Part C above and annexes VII and VIII to the present document).

1.1 Annual allowances

62. This budget line consists of the following: the annual allowances of the President and the other members of the Tribunal and the allowances of the President and the Vice-President (see annex V).

63. The President is required to reside at the seat of the Tribunal and receives an annual remuneration of $169,419. The annual allowance of the other members of the Tribunal amounts to one third of the maximum annual remuneration ($56,473).

64. In addition, the President is paid an allowance of $25,000 per annum in line with the practice at the International Court of Justice, whose President has been entitled to this amount since 1 January 2011, in keeping with the decision adopted by the General Assembly on 24 December 2010 (see Assembly resolution 65/258, para. 6). The President is not entitled to a special allowance or subsistence allowance for attendance at meetings of the Tribunal.

65. The Vice-President receives an allowance for each day on which he acts as President. The rate for that allowance is fixed at $156 per day in line with the practice at the International Court of Justice, the Vice-President of which has been entitled to that amount since 1 January 2011, in keeping with the decision adopted by the General Assembly on 24 December 2010 (see Assembly resolution 65/258, para. 6). Budgetary appropriations have been calculated on the basis of the same assumption that was applied to the budget for the financial period 2013-2014, namely, that the Vice-President is present at the seat of the Tribunal to act as President for two weeks per annum (this includes 14 days' daily subsistence allowance, 10 days' special allowance when the Vice-President is engaged in the business of the Tribunal, and 10 days' special allowance when the Vice-President acts as President). Accordingly, a provision of €10,367 per annum is made to meet the requirement. This represents an increase of €70 per annum over the appropriation approved for 2013-2014 (€10,297). The increase is due to the increase

in the daily subsistence allowance rate applicable to Hamburg and in the Vice-President's special allowance for each day on which he acts as President.

66. A provision of €3,008,300 is envisaged under this budget line, which represents a decrease of €5,100 compared with the appropriation approved for 2013-2014. This decrease is due to the combined effect of the depreciation of the United States dollar against the euro and the post adjustment multiplier applicable to Hamburg for March 2014.[3] As the allowances of the President and the Vice-President are fixed in United States dollars, exchange rate fluctuations also had a minor effect.

1.2 Special allowances

67. Judges are paid a special allowance for each day that they are engaged in the business of the Tribunal during its sessions. A subsistence allowance is also paid for each day that a judge is required to be present at the seat of the Tribunal (see annex V).

68. Judges may be paid a special allowance for preparatory work which they undertake before meetings of the Tribunal. A subsistence allowance is also payable to judges when they carry out preparatory work related to the activities of the Tribunal away from their normal place of residence.

69. In respect of sessions for a total of four weeks each year, it is proposed, as in the past, that provision be made for a special allowance for preparatory work for a total of 10 days each for 20 judges. Payment of this allowance will be subject to authorization by the President.

70. In previous budgetary periods, provisions were approved regarding subsistence allowance for preparatory work for a total of seven days for up to 10 judges per annum. On the basis of the same criteria (70 days of daily subsistence allowance), an amount of €63,100 is proposed for 2015-2016. Subject to authorization by the President, this provision may be utilized to pay daily subsistence allowance to judges when they carry out preparatory work away from their normal place of residence, or to pay special and daily subsistence allowances when they are engaged in the business of the Tribunal (e. g., special meeting of the Committee on Budget and Finance to prepare the biennial budget proposals).

71. A provision of €917,900 is made under this budget line on the basis of the exchange rate and the post adjustment multiplier for March 2014. This represents an increase of €8,300 compared with the appropriation approved for 2013-2014 owing to the increase in the daily subsistence allowance applicable to Hamburg.

1.3 Travel to sessions

72. This budget line covers the costs incurred for judges' travel to Hamburg to attend sessions during the 2015-2016 financial period. A provision of €289,600 has been envisaged to meet the requirements. The sum of €144,800, representing the amount per annum, is usually intended to cover the travel of 20 judges each year to two sessions. As indicated in paragraph 15, as far as possible, the sessions will be organized in conjunction with judicial deliberations in Case No. 21. The provision

[3] See note 2 above.

for travel of judges to sessions has been adjusted on the basis of an inflation rate of 1.68 per cent, which has resulted in an increase of €7,100.

1.4 Common costs

73. This budget line includes the common costs in respect of the President, the insurance scheme for work-related accidents, reimbursement of national taxes and costs of removal of personal effects of judges whose mandate ends during the financial period concerned[4] (see annex VI).

74. A total amount of €55,300 is proposed for 2015-2016 under this budget line, which represents a decrease of €86,500 compared with the provision made for 2013-2014. The decrease is due to the fact that no provision is required for the assignment and repatriation of the President during the 2015-2016 financial period or for removal costs for judges.

Section 2
Judges' pension scheme

75. The ninth Meeting of States Parties approved the Pension Scheme Regulations for Members of the International Tribunal for the Law of the Sea (SPLOS/47).

76. In order to cover the costs of pension payments, a total amount of €1,373,900 is proposed for 2015-2016 (see annex IX). For the reasons explained in paragraph 35 (b), this represents an increase of €493,200 compared with the provision made for 2013-2014. The amount that will be utilized to meet the actual needs of the Tribunal will depend on the result of the election in 2014. Any part of the proposed appropriation not utilized will be surrendered in accordance with the Financial Regulations.

2.1 Pension in payment

77. At present, pensions are payable to ten former judges and six surviving spouses. Pension payments to them will continue for the full 2015-2016 period and will require a provision of €782,800. This is €43,100 less than the 2013-2014 provision, owing to the death of a former judge and to the difference between the United States dollar-euro exchange rates for March 2012 (0.746) and March 2014 (0.731).

2.2 Pension for retiring judges

78. A triennial election is to take place in June 2014 to fill the vacancies of seven judges whose terms of office will expire on 30 September 2014. As those judges will be entitled to a pension from October 2014, a provision for pension payments to them should be envisaged in the budget for 2015-2016 for the full period of 24 months. This will amount to €591,100, which is €536,300 higher than the appropriation approved for 2013-2014. It may be noted that, while the 2013-2014 budget made a provision for the seven retiring judges for three months, the budget for 2015-2016 requires a provision for the seven retiring judges for 24 months.

[4] The removal costs of household and personal effects of the President, whose mandate ends in 2014, are covered under the President's common costs in the budget for 2013-2014.

Section 3
Staff costs[5]

3.1 Established posts

79. The functioning of the Tribunal presupposes the discharge by the Registry of a number of different responsibilities, including in particular, legal and administrative tasks. Legal tasks are undertaken by the Legal Office, which consists of four Professional staff members (1 P-2, 1 P-3 and 2 P-4 posts) under the supervision of a Senior Legal Officer/Head of Legal Office (P-5). For the reasons indicated in paragraph 27, it is proposed that a new post be created at the General Service level to provide assistance to the Legal Office. The budgetary increase would amount to €80,589 for two years.

80. For the reasons indicated in paragraphs 30 to 32 above, it is proposed that the current G-7 (personnel matters) post be reclassified to the P-2 level in order to ensure the efficient discharge of administrative tasks, in particular, in staff matters. The budgetary increase would amount to €6,274 for two years.

81. The 2015-2016 post requirements for staff in the Professional and higher categories are set out in annex II, and those for staff in the General Service category, in annex III.

82. Budgetary estimates relating to staff costs are based on standard costs issued by the Programme Planning and Budget Division of the United Nations Secretariat (standard salary costs, version 4, applicable to The Hague for 2015). On this basis, it is proposed that €5,085,200 be appropriated for the established posts in 2015-2016. This represents an increase of €421,000, after deduction of the amount of staff assessment, compared with the amount appropriated for 2013-2014.

3.2 Staff assessment/credit

83. In accordance with the decision of the thirteenth Meeting of States Parties (SPLOS/98, paragraph (a)), the budget proposals for 2015-2016 contain a separate budget line for a credit in respect of the amount of staff assessment, which is included in the costs for established posts. Accordingly, the contributions of States Parties will be assessed on the basis of net salaries.

3.4 Common staff costs

84. Common staff costs comprise the various entitlements of staff, including pension contributions, medical insurance contributions, education grants and language and dependency allowances, as required under the Staff Regulations and Rules of the Tribunal. In accordance with United Nations practice, the applicable appropriation is calculated by applying a certain percentage to the net remuneration of the staff. The Programme Planning and Budget Division of the United Nations is responsible for determining different percentages in respect of common staff costs to be applied to different duty stations around the world.

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[5] For the purposes of the estimates, the rates of remuneration have been computed on the basis of the applicable rates of the United Nations common system, using the 2015 standard costs (version 4) applicable to The Hague.

85. The United Nations has thus far not determined a separate rate applicable to Hamburg and the Tribunal used The Hague as a comparator for the purpose of budgeting common staff costs with respect to the budgets of the Tribunal for the 1996-1997 to 2005-2006 financial periods. Since the financial period 2007-2008, the Tribunal has based its common staff costs on estimates of actual requirements.

86. The common staff costs rate for 2015 applicable to The Hague is fixed at 39.58 per cent according to the standard salary costs set by the United Nations, version 4. On this basis, the common staff costs would amount to €1,006,400 per annum. However, as was the case for the previous three financial periods (2007-2014), estimates have been prepared on the basis of actual requirements for the financial period 2015-2016. They amount to €1,022,500 per annum, which represents the same amount as the appropriation approved for the 2013-2014 financial period (see annex XI).

3.5 Overtime

87. Owing to the nature of the work of the Tribunal, it is unavoidable that some staff members in the General Service category have to work beyond normal working hours, particularly during sessions. Overtime payments cannot always be replaced by compensatory time off, particularly in a small Registry. On the basis of past performance, a provision of €27,000 is requested for 2015-2016. This represents a decrease of €2,400 compared with the appropriation approved for 2013-2014.

3.6 Temporary assistance for meetings

88. In line with the practice of other international judicial institutions, personnel needed for conference services are not employed by the Tribunal on a permanent basis. This provision covers emoluments and costs of travel for interpreters, revisers, translators, audio equipment operators and additional linguistic typists recruited specifically for sessions not directly related to cases. The provision also covers the costs of other conference-related staff and personnel needed to service meetings. The amount proposed takes into account the fact that not all required personnel, particularly translators and interpreters, are readily available at the seat of the Tribunal.

89. On the basis of past performance, a provision of €203,900 is proposed for 2015-2016, which represents a decrease of €3,300 compared with the appropriation approved for 2013-2014.

3.7 General temporary assistance

90. The Tribunal employs temporary assistance personnel to deal with peak workloads and to accommodate other specific requirements. General temporary assistance is predominantly used for translating, editing, photocopying and disseminating documents and for providing assistance to conference staff. The provision is also used to hire individual contractors to assist with administrative matters and to provide technical assistance, for example, for the maintenance of the Tribunal's website. On the basis of past performance, the total provision proposed for general temporary assistance for 2015-2016 is €110,900, which represents a decrease of €2,200 compared with the appropriation approved for 2013-2014.

3.8 Training

91. Staff training is required for the use of the computer network and specialized software, which is continually being updated for word-processing and database functions, including bibliographic and other information systems. Training in specialized areas, such as desktop publishing or referencing for Linguistic Services, is also necessary to ensure the efficient functioning of the Registry. Language training is also required to promote proficiency in both official languages of the Tribunal as well as efficiency in relations between the Tribunal and the host country. It may be added that, as the Tribunal follows the United Nations common system, it is important to regularly train staff members in matters where the expertise of United Nations institutions may be useful for the functioning of the Registry (staff matters, finance, procurement, pension, etc.). A provision of €72,900 is proposed for 2015-2016. This is the same amount as the appropriation approved for 2013-2014, with a 1.68 per cent adjustment for inflation.

Section 4
Representation allowance

92. A representation allowance is payable to the President, the Registrar and the Deputy Registrar in accordance with United Nations practice. The total amount proposed for 2015-2016 is €11,100, which represents a decrease of €200, which is due to the difference between the United States dollar-euro exchange rates for March 2012 (0.746) and March 2014 (0.731).

Section 5
Official travel

93. This provision is to cover the travel costs of the President and other judges, as necessary, and the Registrar and staff when on official business of the Tribunal. The appropriation proposed for official travel in 2015-2016 is €180,300, and represents the same amount as the appropriation approved for the 2013-2014 financial period.

Section 6
Hospitality

94. This provision is to cover the Tribunal's hospitality requirements. The amount proposed for 2015-2016 is €14,300, which is the same as the appropriation approved for 2013-2014, with a 1.68 per cent adjustment for inflation.

Section 7
Operating expenditure

7.1 Maintenance of premises, including security

95. The Tribunal has to run a large modern building containing complex equipment and systems. Under the Premises Agreement, the technical equipment provided along with the building (security system, heating and cooling system,

courtroom technology, electrical installations, lifts, sprinkler system, ventilation, fire alarm system, electrically operated doors, etc.) has to be maintained in accordance with the highest standards applicable in the host country. For this purpose, the Registry currently has 29 maintenance contracts in force, which are continually reviewed and regularly renegotiated, with a view to monitoring costs and avoiding increases.

96. Since July 2010, the Tribunal has had a contract with Imtech Deutschland GmbH & Co. KG for the provision of services related to the running, management and maintenance of the premises, such as cleaning, snow and ice removal, waste disposal, work related to the water and power supplies and gardening. The contract with Imtech is valid until May 2015 and a new contract will be concluded through a competitive process. A slight increase in cost is to be expected in the new contract owing to increasing labour costs in the host country. After expiry of the previous 24-hour security contract, the Tribunal in September 2013 entered into a new contract with a different contractor and at a higher price. The contract is valid until 31 August 2016 and the actual costs for this contract are reflected in the present budget proposal.

97. Minor repairs on the building have to be carried out by the Tribunal, for which €50,000 is allocated in the budget proposal, as provided for in the Premises Agreement with the host country. Maintenance of the building requires the purchase of utilities services (electricity, gas, water) as well as supplies and insurance. The costs for utilities and supplies could be reduced by applying several cost-reduction and energy-saving measures.

98. In the light of the above, the amount of €2,159,000 is proposed for 2015-2016, which represents a decrease of €6,600 compared with the appropriation approved for 2013-2014. The details of the expenditure relating to the maintenance of the premises are shown in annex X.

7.2 Rental and maintenance of equipment

99. Renting or leasing items of equipment has proved more economical than purchasing them. Maintenance costs resulting from outright purchases are thus avoided. On the basis of previous experience, a provision of €370,600 is proposed for 2015-2016. This represents the same amount as the appropriation approved for 2013-2014, with a 1.68 per cent adjustment for inflation.

7.3 Communications

100. Expenses for the communications of the Tribunal include: postage and courier services; telephone calls; faxing and e-mail; teleconferencing/videoconferencing; Internet connections; and access to databases.

101. The provision for communications by means of telephone, fax, Internet and courier services includes the cost of communication between the Registry and judges working away from the seat of the Tribunal. It also includes the cost of leasing the necessary telephone lines to optimize efficiency in maintaining a website, email and Internet connections for the premises. In the light of previous experience, the amount of €194,200 is proposed for 2015-2016. This represents a decrease of €3,000 compared with the amount approved for 2013-2014.

7.4 Miscellaneous services and charges (including bank charges)

102. This provision is to cover the costs of miscellaneous services needed by the Tribunal where it is not appropriate to charge these costs to any specific budget line. It includes mainly bank charges. In the light of the substantial increase in the bank charges over the past years, an amount of €41,000 is proposed for 2015-2016, which represents an increase of €1,000 compared with the amount approved for 2013-2014.

7.5 Supplies and materials

103. This provision is to cover the cost of office and other supplies, materials and services at the premises. On the basis of past performance, the amount of €122,400 is proposed for 2015-2016. This represents a decrease of €1,500 compared with the amount approved for 2013-2014.

7.6 Special services (external audit)

104. Owing to an internal oversight, the budget proposals for 2013-2014 contained an error with regard to the amount of expenditures required to cover the audit of the Tribunal's financial statements for 2013-2014 by the firm Ernst & Young. Instead of €10,400 for one year, the budget proposals included that amount for the whole biennium. The budget proposal for 2015-2016 now contains the correct amount, that is, €20,800.

Section 8
Library and related costs

105. The availability of quality library facilities at the Tribunal is indispensable for its effective operation. The judges and Registry staff, as well as States and entities that may appear as parties before the Tribunal, should have at their disposal a comprehensive collection of literature on public international law, the law of the sea, maritime law, commercial law, mining law and environmental law. Given the scope of the Tribunal's jurisdiction, the Library must also have on hand material on various scientific subjects closely connected with the work of the Tribunal.

8.1 Procurement of books and publications

106. The Library needs to collect publications that form the basis of a core collection in international law. The annual cost of acquiring such materials, inter alia, serial publications, fluctuates and the associated costs, particularly for shipping, are often quite significant. The Library also subscribes to various databases providing important and timely access to certain types of scientific and legal information. At present, the Library collections comprise 9,827 volumes, 10,851 serial volumes and 2,831 treaty series volumes.

107. The price of books, publications and subscriptions has increased substantially. Online subscriptions also have increased significantly in price. In order to minimize the increase, it is proposed that the amount of €242,200 be appropriated under the 2015-2016 budget, which represents the same appropriation as that approved for 2013-2014, with a 1.68 per cent adjustment for inflation.

8.3 External printing and binding

108. This provision is to cover the costs of producing and publishing documents and other material, such as judgments and pleadings in cases, and of disseminating other documentation such as the *Yearbook*, *Basic texts*, *Guide to proceedings before the Tribunal* and information brochures on the Tribunal as well as CDs. In addition, the Library has to bind monographs and journals. On the basis of the performance in previous years, the amount proposed for 2015-2016 is €78,000. This represents a decrease of €2,000 compared with the amount approved for 2013-2014.

Part B (sections 9 and 10)
Non-recurrent expenditure

Section 9
Furniture and equipment

109. This provision is to cover the purchase of office equipment and furniture. The estimates for non-recurrent expenditure for 2015-2016 are based on the Tribunal's requirements in terms of office equipment, archive equipment (data-processing, storage and retrieval systems for archives and legal matters, etc.), software, and hardware and website maintenance and development. Account is also taken of the need to replace obsolete equipment, in particular electronic equipment.

9.1 Purchase of equipment

110. The twenty-second Meeting of States Parties approved the amount of €154,800 for the purchase of equipment for 2013-2014. In the light of the performance in 2013, the amount of €157,400 is proposed for 2015-2016, which is the same as the appropriation approved for 2013-2014, with a 1.68 per cent adjustment for inflation.

Section 10
Alterations to premises

111. No provision is requested under this budget line.

Part D
Working Capital Fund

112. Pursuant to regulation 6.2 of the Financial Regulations of the Tribunal, the Working Capital Fund is established "to ensure financial resources for the Tribunal to meet short-term liquidity problems pending receipt of contributions ... and to provide the Tribunal with the financial means to deal with cases". As at 2001, contributions to the Working Capital Fund totalled €542,118. The Working Capital Fund is mainly maintained to meet short-term liquidity problems and extraordinary expenses. At the United Nations, which maintains a working capital fund to meet unforeseen and extraordinary expenses, it is considered appropriate to credit the fund up to an amount corresponding to 8 per cent of the annual budget. On that basis, €801,812 would be required in the case of the Tribunal. However, the

Tribunal is not seeking additional funding in the Working Capital Fund for the financial period 2015-2016.

113. In addition to the amount referred to above, in 2002, the twelfth Meeting of States Parties approved a contribution to the Working Capital Fund (case-related) of the Tribunal, specifically to be used to cover case-related expenses. Pursuant to the decision of the Meeting of States Parties, this amount may be used to provide the Tribunal with the necessary financial means to consider cases to the extent that the expenditure cannot be met from the case-related costs, or from transfer of funds between

Annex I

Budgets of the Tribunal from 2009-2010 to 2015-2016 (in euros)

Part Section	*Objects of expenditure*	*Approved budget 2009-2010*	*Performance 2009-2010*	*Approved budget 2011-2012*	*Performance 2011-2012*	*Approved budget 2013-2014*	*Proposed budget 2015-2016*	*Biennial decrease increase*	*Part Section*
A	**Recurrent expenditure**								**A**
1	**Judges**	**4 006 695**	**3 833 041**	**4 121 200**	**4 219 989**	**4 347 300**	**4 271 100**	**-76 200**	**1**
1.1	Annual allowances	2 858 782	2 868 818	2 931 100	3 064 522	3 013 400	3 008 300	-5 100	1.1
1.2	Special allowances	805 913	729 715	778 700	812 514	909 600	917 900	8 300	1.2
1.3	Travel to sessions	267 600	206 240	277 500	228 287	282 500	289 600 [a]	7 100	1.3
1.4	Common costs	74 400	28 268	133 900	114 666	141 800	55 300	-86 500	1.4
2	**Judges' pension scheme**	**587 100**	**631 105**	**901 300**	**712 593**	**880 700**	**1 373 900** [b]	**493 209**	**2**
2.1	Pension in payment			612 500		825 900	782 800 [c]	-43 100	2.1
2.2	Pension for retiring judges			288 800		54 800	591 100 [c]	536 300	2.2
3	**Staff costs**	**7 054 600**	**6 993 702**	**7 333 900**	**6 948 995**	**7 130 000**	**7 544 900**	**414 900**	**3**
3.1	Established posts	5 790 400	4 615 814	5 974 000	4 628 528	5 718 000	6 257 000 [d]	539 000	3.1
3.2	Staff assessment/credit	-1 170 400		-1 107 200		-1 053 800	-1 171 800	-118 000	3.2
3.3	Reimbursement of national taxes	0				0	0	0	3.3
3.4	Common staff costs	1 991 900	2 000 033	2 034 200	1 929 536	2 045 000	2 045 000	0	3.4
3.5	Overtime	39 000	28 876	32 400	29 578	29 400	27 000	-2 400	3.5
3.6	Temporary assistance for meetings	210 500	188 486	210 300	194 238	207 200	203 900	-3 300	3.6
3.7	General temporary assistance	121 100	93 724	118 100	101 404	113 100	110 900	-2 200	3.7
3.8	Training	72 100	66 769	72 100	65 711	71 100	72 900 [a]	1 800	3.8
4	**Representation allowance**	**10 000**	**11 227**	**11 300**	**11 405**	**11 300**	**11 100**	**-200**	**4**
5	**Official travel**	**185 300**	**159 436**	**185 300**	**175 316**	**180 300**	**180 300**	**0**	**5**
6	**Hospitality**	**13 900**	**13 171**	**13 900**	**12 091**	**13 900**	**14 300** [a]	**400**	**6**
7	**Operating expenditures**	**2 771 400**	**2 636 939**	**2 833 100**	**2 803 760**	**2 898 500**	**2 908 000**	**9 500**	**7**
7.1	Maintenance of premises incl. security	2 033 100	1 995 133	2 099 100	2 087 590	2 165 600	2 159 000	-6 600	7.1
7.2	Rental and maintenance of equipment	361 400	324 594	361 400	350 330	361 400	370 600 [a]	9 200	7.2
7.3	Communications	197 200	162 673	197 200	187 123	197 200	194 200	-3 000	7.3
7.4	Misc. services and charges (incl. bank charges)	41 200	34 197	40 000	44 506	40 000	41 000	1 000	7.4
7.5	Supplies and materials	123 900	109 082	123 900	123 761	123 900	122 400	-1 500	7.5
7.6	Special services (external audit)	14 600	11 260	11 500	10 450	10 400	20 800	10 400	7.6

Part Section	Objects of expenditure	Approved budget 2009-2010	Performance 2009-2010	Approved budget 2011-2012	Performance 2011-2012	Approved budget 2013-2014	Proposed budget 2015-2016	Biennial decrease increase	Part Section
8	**Library and related costs**	**327 000**	**304 489**	**324 600**	**316 732**	**316 000**	**320 000**	**4 000**	**8**
8.1	Procurement of books and publications	234 600	231 411	234 600	233 057	236 000	242 000 [a]	6 000	8.1
8.2	Start-up costs of library								8.2
8.3	External printing and binding	92 400	73 078	90 000	83 675	80 000	78 000	-2 000	8.3
B	**Non-recurrent expenditure**								**B**
9	**Furniture and equipment**	**154 800**	**153 021**	**154 800**	**144 180**	**154 800**	**157 400**	**2 600**	**9**
9.1	Purchase of equipment	154 800	153 021	154 800	144 180	154 800	157 400 [a]	2 600	9.1
9.2	Purchase of special equipment								9.2
10	**Alteration to premises**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**10**
C	**Case-related costs**								**C**
11	**Judges**	**2 030 855**	**790 966**	**3 309 000**	**2 723 400**	**3 982 130**	**2 469 400**	**-1 512 730**	**11**
11.1	Special allowances	1 647 554	676 661	2 685 100	2 371 720	3 180 990	1 903 400	-1 277 590	11.1
11.2	Compensation to judges ad hoc	100 201	1 879	246 200	204 418	294 210	166 200	-128 010	11.2
11.3	Travel to meetings, including judges ad hoc	283 100	112 426	377 700	147 262	506 930	399 800 [a]	-107 130	11.3
12	**Staff costs**	**580 900**	**302 295**	**1 210 200**	**1 154 914**	**1 324 190**	**794 900**	**-529 290**	**12**
12.1	Temporary assistance for meetings	535 900	280 481	1 142 700	1 108 641	1 261 940	749 900	-512 040	12.1
12.2	Overtime	45 000	21 814	67 500	46 273	62 250	45 000	-17 250	12.2
D	**Working Capital Fund**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**D**
	Total	**17 722 550**	**15 829 392**	**29 398 600**	**19 223 375**	**21 239 120**	**20 045 300**	**-1 193 820**	

Rate of exchange United States dollar 1 = € 0.731 (United Nations exchange rate for March 2014).

[a] Adjusted by 1.68 per cent inflation, Federal Statistical Office Germany, average March 2012 to February 2014.

[b] Pension currently in payment.

[c] Pension for seven judges whose term of office expires on 30 September 2014. The actual amount to be paid will depend on the election in 2014.

[d] Budget information system, standard salary costs — version 4, year 2015 applicable to The Hague.

Annex II

Professional staff of the Registry in 2015-2016

Level	*Function*	*Number of posts*	*Standard costs in United States dollars*	*Net standard costs in United States dollars*	*Staff assessment in United States dollars*
ASG	Registrar	1	231 267	184 684	46 583
D-2	Deputy Registrar	1	193 120	164 877	28 243
P-5	Head of Linguistic Services	1	160 934	137 642	23 292
P-5	Senior Legal Officer/Head of Legal Office	1	160 934	137 642	23 292
P-4	Head of Budget and Finance	1	134 157	117 468	16 689
P-4	Head of Library and Archives	1	134 157	117 468	16 689
P-4	Head of Personnel, Building and Security	1	134 157	117 468	16 689
P-4	Legal Officer	2	268 314	234 935	33 379
P-4	Translator/Reviser	1	134 157	117 468	16 689
P-3	Information Technology Officer	1	107 472	92 434	15 038
P-3	Legal Officer	1	107 472	92 434	15 038
P-3	Translator (French)	1	107 472	92 434	15 038
P-2	Administrative Officer (personnel)[a]	1	90 049	78 037	12 012
P-2	Archivist	1	90 049	78 037	12 012
P-2	Associate Administrative Officer (contributions/budget)	1	90 049	78 037	12 012
P-2	Associate Legal Officer	1	90 049	78 037	12 012
P-2	Press Officer	1	90 049	78 037	12 012
	Total	**18**	**2 323 858**	**1 997 139**	**326 719**
	Total in euros (rounded)			**1 555 800**	
	Total for the biennium in euros (rounded)			**3 111 600**	

Note: Figures and exchange rate are based on the standard salary costs, version 4, applicable to The Hague for 2015.

[a] Proposed by the Tribunal; see paras. 30-32 above.

Annex III

General Service staff of the Registry in 2015-2016

Level	*Function*	*Number of posts*	*Standard costs in United States dollars*	*Net standard costs in United States dollars*	*Staff assessment in United States dollars*
Principal level					
	Administrative Assistant (procurement)	1	100 347	74 010	26 337
	Building Coordinator	1	100 347	74 010	26 337
	Information Systems Assistant	1	100 347	74 010	26 337
	Publications/Personal Assistant (Registrar)	1	100 347	74 010	26 337
Other levels					
	Administrative Assistant	1	81 467	61 266	20 201
	Administrative Assistant	1	81 467	61 266	20 201
	Administrative Assistant (contributions)	1	81 467	61 266	20 201
	Finance Assistant	1	81 467	61 266	20 201
	Finance Assistant (accounts payable)	1	81 467	61 266	20 201
	Legal Assistant[a]	1	68 781	51 725	17 056
	Library Assistant	1	81 467	61 266	20 201
	Linguistic Assistant/Judiciary Support	2	162 934	122 531	40 403
	Personal Assistant (Deputy Registrar)	1	81 467	61 266	20 201
	Personal Assistant (President)	1	81 467	61 266	20 201
	Personnel Assistant	1	81 467	61 266	20 201
	Receptionist	1	81 467	61 266	20 201
	Security Officer/Driver	2	162 934	122 531	40 403
	Senior Security Officer/Building Superintendent	1	81 467	61 266	20 201
	Total	**20**	**1 692 174**	**1 266 753**	**425 421**
	Total in euros (rounded)			**986 800**	
	Total for the biennium in euros (rounded)			**1 973 600**	

Note: Figures and exchange rate are based on the standard salary costs, version 4, applicable to The Hague for 2015.

[a] Proposed by the Tribunal, see para. 27 above.

Annex IV

Comparison of post requirements

Posts approved for 2009-2010

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand total*
1	1	0	2	5	4	4	17	5	15	20	37

Posts approved for 2011-2012

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand total*
1	1	0	2	5	4	4	17	5	15	20	37

Posts approved for 2013-2014

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand total*
1	1	0	2	6	3	4	17	5	15	20	37

Posts proposed for 2015-2016

ASG	*D-2*	*D-1*	*P-5*	*P-4*	*P-3*	*P-2/1*	*Total Professional and above*	*General Service (Principal level)*	*General Service (Other levels)*	*Total General Service*	*Grand total*
1	1	0	2	6	3	5	18	4	16	20	38

Annex V

Judges in 2015-2016 — judicial work not related to cases

			2015	*2016*	*2015-2016*
		In United States dollars	*In euros including post adjustment*	*In euros including post adjustment*	*In euros including post adjustment*
1. Annual allowance	169 419 / 3 x 20	1 129 460	1 283 037	1 283 037	2 566 074
2. Special allowance (20 days/based on 220 working days per annum)	169 419 / 3 / 220 x 20 x 20	102 678	116 640	116 640	233 280
3. Subsistence allowance (28 days)	440 x 1.4 x 28 x 20	344 960	252 448	252 448	504 896
4. Special allowance for preparatory work (10 days/based on 220 working days per annum), to be authorized by the President	169 419 / 3 / 220 x 10 x 20	51 339	58 320	58 320	116 640
5. Preparatory work					
Subsistence allowance (7 days for 10 judges) to be authorized by the President	440 x 1.4 x 7 x 10	43 120	31 556	31 556	63 112
6. President's annual allowance	169 419	169 419	192 456	192 456	384 912
7. President's special allowance	25 000	25 000	18 275	18 275	36 550
8. Vice-President's special allowances					
14 days of subsistence allowance	14 x 440 x 1.4	8 624	6 311	6 311	12 622
10 days of special allowances	10 x ((169 419 / 3 / 220) + 156)	4 127	4 056	4 056	8 112
Total		**1 878 727**	**1 963 099**	**1 963 099**	
Total in euros for the biennial budget					**3 926 198**
Total in euros for the biennial budget (rounded)					**3 926 200**
Total annual allowances (President and other judges) Total [items 1, 6-8] in euros			**1 504 135**	**1 504 135**	**3 008 270**
Total special allowances (including daily subsistence allowance) Total [items 2-5] in euros			**458 964**	**458 964**	**917 928**

Note: The daily subsistence allowance is determined by the International Civil Service Commission and is subject to change.
Daily subsistence allowance rate in United States dollars: 440 (plus 40 per cent for judges).
Daily subsistence allowance rate in euros: 322 (plus 40 per cent for judges).
United Nations exchange rate for March 2014: 0.731.
Post adjustment multiplier applicable to Hamburg for March 2014: 55.4 per cent.

Annex VI

Judges' common costs in 2015-2016

2015	*In United States dollars*	*In euros*
1. Reimbursement of national taxes	14 295	10 450
2. Insurance for work-related accidents	14 774	10 800
Total	**29 069**	**21 250**
2016		
1. President's common costs		
Home leave travel	17 442	12 750
2. Removal costs of personal effects of 7 judges whose mandate will expire in 2014	0	0
3. Reimbursement of national taxes	14 295	10 450
4. Insurance for work-related accidents	14 774	10 800
Total	**46 512**	**34 000**
Total in euros for the biennial budget		**55 250**
Total in euros for the biennial budget (rounded)		**55 300**

United Nations exchange rate for March 2014: 0.731.
Daily subsistence allowance rate in United States dollars: 440 (plus 40 per cent for judges).
Daily subsistence allowance rate in euros: 322 (plus 40 per cent for judges).

Annex VII

Case-related costs in 2015-2016 — judicial work related to urgent proceedings

		In United States dollars	*2015 (two cases) In euros including post adjustment*	*2016 (one case) In euros including post adjustment*	*2015-2016 In euros including post adjustment*
Judges	*per case*				
1. Special allowance (21 days/based on 220 working days per annum)[a]	169 419 / 3 / 220 x 21 x 20	107 812	244 943	122 472	367 415
2. Subsistence allowance (22 days)[b]	440 x 1.4 x 22 x 20	271 040	396 704	198 352	595 056
3. Special allowance for preparatory work, to be authorized by the President (18 days/based on 220 working days per annum)[c]	169 419 / 3 / 220 x 18 x 20	92 410	209 951	104 975	314 926
4. Subsistence allowance for preparatory work, to be authorized by the President (4 days for 5 judges)	440 x 1.4 x 4 x 5	12 320	18 032	9 016	27 048
5. Compensation for two judges ad hoc					
Annual allowance	169 419 / 3 / 365 x 39 x 2	12 068	27 418	13 709	41 127
Special allowance	169 419 / 3 / 220 x 39 x 2	20 022	45 489	22 744	68 233
Subsistence allowance	440 x 1.4 x 21 x 2	25 872	37 867	18 934	56 801
6. Travel of judges (including two judges ad hoc)			157 974	80 314	238 288
Staff costs					
7. Temporary assistance for meetings		470 900	344 228	172 114	516 342
8. Overtime		30 789	22 507	11 254	33 761
Total		**1 043 233**	**1 505 113**	**753 884**	**2 258 997**
Total for the biennial budget					**2 258 997**
Total in euros for the biennial budget (rounded)					**2 259 000**

Note: The daily subsistence allowance is determined by the International Civil Service Commission and is subject to change.
Daily subsistence allowance rate in United States dollars: 440 (plus 40 per cent for judges).
Daily subsistence allowance rate in euros: 322 (plus 40 per cent for judges).
United Nations exchange rate for March 2014: 0.731.
Post adjustment multiplier applicable to Hamburg for March 2014: 55.4 per cent.

[a] Three weeks based on seven days.

[b] Three weeks based on seven days, plus travel days.

[c] Two and one-half weeks based on seven days (based on ratio determined by Meeting of States Parties).

Annex VIII

Case-related costs in 2015-2016 — judicial work related to Case No. 21

		In United States dollars	*2015 In euros including post adjustment*
Judges			
1. Special allowance (9 days deliberations/Jan 2015 based on 220 working days per annum)[a]	169 419 / 3 / 220 x 9 x 20	46 205	52 488
2. Subsistence allowance (12 days)[b]	440 x 1.4 x 12 x 20	147 840	108 192
3. Special allowance (6 days drafting committee/5 judges based on 220 working days per annum)[a]	169 419 / 3 / 220 x 6 x 5	7 701	8 748
4. Subsistence allowance (8 days, drafting committee/ 5 judges)[b]	440 x 1.4 x 8 x 5	24 640	18 032
5. Special allowance (5 days deliberations/Feb 2015 based on 220 working days per annum)[a]	169 419 / 3 / 220 x 5 x 20	25 670	29 160
6. Subsistence allowance (7 days, deliberations)[b]	440 x 1.4 x 7 x 20	86 240	63 112
7. Special allowance (5 days deliberations/Mar 2015 based on 220 working days per annum)[a]	169 419 / 3 / 220 x 5 x 20	25 670	29 160
8. Subsistence allowance (6 days, deliberations)[b]	440 x 1.4 x 6 x 20	73 920	54 096
9. Special allowance (5 days drafting committee/5 judges based on 220 working days per annum)[a]	169 419 / 3 / 220 x 5 x 5	6 417	7 290
10. Subsistence allowance (8 days, drafting committee/ 5 judges)[b]	440 x 1.4 x 8 x 5	21 560	15 778
11. Special allowance (3 days deliberations/reading of opinion based on 220 working days per annum)[a]	169 419 / 3 / 220 x 3 x 20	15 402	17 496
12. Subsistence allowance (5 days, deliberations)[b]	440 x 1.4 x 5 x 20	61 600	45 080
13. Special allowance for preparatory work, to be authorized by the President (14.66 days/based on 220 working days per annum)	169 419 / 3 / 220 x 14.66 x 20	75 263	85 497
14. Special allowance for preparatory work, to be authorized by the President (7.33 days/based on 220 working days per annum)	169 419 / 3 / 220 x 7.33 x 5	9 408	10 687
15. Subsistence allowance for preparatory work, to be authorized by the President (12 days for 10 judges)	440 x 1.4 x 12 x 10	73 920	54 096
Total allowances		**701 456**	**598 912**
16. Travel of judges		220 997	161 549
Staff costs			
17. Temporary assistance for meetings		319 562	233 600
18. Overtime		15 390	11 250
Total		**1 257 405**	**1 005 311**
Total in euros (rounded)			**1 005 300**

(Footnotes on following page)

(Footnotes to annex VIII)

Note: The daily subsistence allowance is determined by the International Civil Service Commission and is subject to change.

Daily subsistence allowance rate in United States dollars: 440 (plus 40 per cent for judges).

Daily subsistence allowance rate in euros: 322 (plus 40 per cent for judges).

United Nations exchange rate for March 2014: 0.731.

Post adjustment multiplier applicable to Hamburg for March 2014: 55.4 per cent.

[a] Based on 5 days per week.

[b] Based on 7 days per week.

Annex IX

Judges' pension scheme in 2015-2016

	In United States dollars	*In euros*
2015		
Pension for 10 retired judges and 6 surviving spouses	535 439	391 406
Pension for 7 judges[a]	404 280	295 529
Total	**939 719**	**686 935**
2016		
Pension for 10 retired judges and 6 surviving spouses	535 439	391 406
Pension for 7 judges[a]	404 280	295 529
Total	**939 719**	**686 935**
Total for the biennial budget	**1 879 438**	**1 373 869**
Total in euros for the biennial budget (rounded)		**1 373 900**

[a] Actual number of retiring judges can only be determined after the elections during the Meeting of States Parties in June 2014.

United Nations exchange rate for March 2014: 0.731.

Annex X

Maintenance of premises in 2015-2016 (in euros)

		Budget 2013	*Budget 2014*	*Budget 2015*	*Budget 2016*
I.	**Facility management**	**393 912**	**393 912**	**399 820**	**399 820**
II.	**Maintenance supplies**	**24 904**	**25 355**	**20 355**	**20 355**
	Gas supplies	94 730	96 445	80 000	80 000
	Power supplies	142 597	145 178	153 996	153 996
	Water supplies	24 020	24 955	13 000	13 000
III.	**Utilities (electricity, gas and water)**	**261 347**	**266 578**	**246 996**	**246 996**
	Listed maintenance contracts	176 273	179 464	160 000	160 000
	Examination	4 055	4 128	5 000	5 000
IV.	**Maintenance contracts**	**180 328**	**183 592**	**165 000**	**165 000**
V.	**Contents and third-party liability insurance**	**23 869**	**24 301**	**24 301**	**24 301**
VI.	**Minor repairs (maximum of 1,000 euros each)**	**50 000**	**50 000**	**50 000**	**50 000**
VII.	**Other repairs**	**0**	**0**	**0**	**0**
VIII.	**Security services (24 hours)**	**142 440**	**145 018**	**173 040**	**173 040**
	Total	**1 076 800**	**1 088 756**	**1 079 512**	**1 079 512**
	Total for the biennial budget (rounded)		**2 165 600**		**2 159 000**

Inflation factor: 1.68 per cent.

Annex XI

Common staff costs 2015-2016 (in euros)

Estimate for common staff costs (Based on actual costs and estimated requirements)	
Contributions to the United Nations Joint Staff Pension Fund[a]	492 433
Dependency allowance[a]	96 860
Education grant[a]	163 923
Home leave[a]	24 825
Language allowance[a]	9 025
Accident at work insurance[a]	18 850
Medical insurance[a]	68 302
After-service health insurance[a]	7 570
Rental subsidy[a]	14 235
Maternity leave[a]	14 621
Provision for staff rotation[b]	
Professional category (5.31 per cent)	82 613
General Service category (2.27 per cent)	22 400
Miscellaneous (ex gratia payments including cancellation of leave)	6 843
Total in euros	**1 022 500**
For information	
Established posts, net	2 542 600
Common staff costs, 39.58 per cent	1 006 361

[a] Based on 2013 performance.

[b] Provision for expenses related to staff rotation based on the Advisory Committee on Administrative and Budgetary Questions vacancy rate used by the International Court of Justice.